

# EXHIBIT 6

Partial Transcript for May 12, 2021

Show Cause Hearing

1           THE COURT: Well, the Court's not going  
2 to make a decision based upon the notice of  
3 non-compliance filed yesterday.

4           The Court is going to make a decision  
5 based on the first notice because the defendant  
6 had sufficient time to respond to that and, as I  
7 stated earlier, did not respond.

8           And the Court's position is those facts  
9 as set forth in the previous notice are deemed  
10 confessed and the Court does find by clear and  
11 convincing evidence that the defendants have  
12 violated the Court's order and that a contempt  
13 sanction is warranted.

14           The issue now before the Court is what  
15 is the remedy? The Court has before it a number  
16 of different remedies.

17           Number one, the Court could find the  
18 defendants in contempt, as it's doing, and issue  
19 a prospective conditional fine until the  
20 defendants get themselves in compliance with the  
21 order.

22           The Court could imprison the defendants  
23 until they get themselves in compliance.

24           The Court could order damages be awarded  
25 to the government with respect to any actual

1 damages suffered by defendants' failure to comply  
2 with the court order.

3 Does the government wish to be heard  
4 concerning the options of sanctions that the  
5 Court may consider?

6 MS. STRIPPOLI: Yes, your Honor. We  
7 would just like to defer to the Court in its  
8 remedy, but we would like to propose that the  
9 Court impose a certain course of sanctions for  
10 each day the defendants remain out of compliance.  
11 We will, of course, defer to the Court as to that  
12 amount. But taking into account the amount of  
13 defendants' financial resources, we would note  
14 that defendants represent that they have  
15 significant financial resources.

16 On August 18, 2020, in a Facebook post  
17 they have said, quote, "We have millions upon  
18 millions of dollars in licensing deals that will  
19 pay for anything." This was corroborated by  
20 Mr. Card at the January 8, 2021, hearing  
21 representing that the defendants have licensing  
22 deals that provide them with revenue and the  
23 financial ability to care for the animals in  
24 their custody.

25 And as recently as April 17, 2021, in an

1 point in time, the Court will consider additional  
2 sanctions if the defendants are not in  
3 compliance.

4 Is there anything further on behalf of  
5 the government?

6 MS. HOLLINGSWORTH: Yes, your Honor. We  
7 would like to add a few points.

8 First, I'm not sure if Mr. Card is aware  
9 of this but we received an email through USDA  
10 from Dr. Friar, the veterinarian that the Lowes  
11 have employed, setting aside the issue of whether  
12 or not she was qualified in the first place, she  
13 has notified us that she intends to give notice  
14 to the Lowes because they have apparently failed  
15 to pay their veterinary bill. She said she would  
16 do that by the end of the month.

17 So again setting aside the issue of  
18 whether or not she is qualified in the first  
19 place and whether or not the program of  
20 veterinary care that they submitted complies with  
21 the regs, which have already been determined that  
22 they did not, it appears to us that within a few  
23 weeks they're going to have no veterinarian on  
24 the property, which brings us back to the  
25 original issue. We would ask that the Court